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NOV 29 2005**DATE:** November 29, 2005**TO:** Director
United States Patent and Trademark
Office**FAX NUMBER:** (571) 273-8300**NUMBER OF PAGES:** 9**USER NUMBER:** 0269**BILLING NUMBER:** 002891-002**COMMENTS:**

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NOV 29 2005

November 29, 2005

BY FACSIMILE (571) 273-8300BY U.S. MAIL

Director of United States Patent and Trademark Office
c/o Office of Petitions
United States Patent and Trademark Office
200 Ballenger Avenue
Randolph Building
Alexandria, VA 22313

Re: Petition to the Director to Withdraw Holding of Abandonment
Application No.: 10/713,897
First Named Applicant: Sherry Lynn Hadden

Dear Sir:

Please find enclosed a Petition to the Director to Withdraw Holding of Abandonment filed pursuant to 37 CFR 1.181. Thank you for your consideration in this matter.

With best regards, I remain,

BALCH & BINGHAM LLP

Christian B. Waddell

CBW:lh
Enclosures

**PETITION TO THE DIRECTOR TO WITHDRAW HOLDING OF
ABANDONMENT
APPLICATION NUMBER 10/713,897**

**Filing or 371(c) date: 11/19/2002
First Named Applicant: Sherry Lynn Hadden**

Pursuant to 37 CFR 1.181, I hereby request the Notice of Abandonment issued on November 7, 2005 and attached hereto as Exhibit "A" be withdrawn and would show unto the Director the following:

1. On November 19, 2002 the applicant, Sherry Lynn Hadden, applied for a provisional patent application. Said application was granted on December 23, 2002. The filing receipt is attached hereto as Exhibit "B."
2. On November 17, 2003 a Decision to Grant Request to Convert Non-Provisional Application was awarded. Decision attached as Exhibit "C." This document was mailed on January 7, 2004.
3. On November 11, 2005 Applicant received the aforementioned Notice of Abandonment for failing to reply to Notice of Missing Parts mailed on January 7, 2004.
4. Applicant never received the Notice of Missing Parts referenced in the Notice of Abandonment and mailed on January 7, 2004.
5. In a telephone conversation with Ms. Jenkins in the Petitions division of the United States Patent and Trademark Office (USPTO) on November 14, 2005, it was discovered that the Notice of Missing Parts was returned to the USPTO as undeliverable.
6. Ms. Jenkins confirmed that the address on the returned Notice was the correct address; however, according to Ms. Jenkins the notice was not resent.
7. The applicant is unable to respond to the Notice of Missing Parts due to never having received it.

THEREFORE, applicant hereby requests the Notice to File Missing Parts be resent to:

Sherry Lynn Hadden,
c/o Christian Waddell
Balch and Bingham LLP
Post Office Box 22587
Jackson, MS 39201

47647.1

Applicant further requests the time to respond to the Notice to File Missing Parts be reset to allow the applicant time to properly respond.



Christian B. Waddell
Balch & Bingham LLP, on behalf of
Sherry Lynn Hadden
P. O. Box 22587
Jackson, MS 39201



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/713,897	11/19/2002	Sherry Lynn Hadden	

CONFIRMATION NO. 5522
ABANDONMENT/TERMINATION
LETTER

Sherry Lynn Hadden
Balch & Bingham LLP
Post Office Box 22587
Jackson, MS 39225-2587

Date Mailed: 11/07/2005

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 01/07/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37



Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

*A copy of this notice **MUST** be returned with the reply.*

J. Stokes

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 1 - ATTORNEY/APPLICANT COPY